OMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (Modified) REV 11-98) U.S. DEPARTMENT 33083 TRANSMITTAL LETTER THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 PRIORITY DATE CLAIMED INTERNATIONAL FILING DATE INTERNATIONAL APPLICATION NO. 16 September 1997 16 September 1998 PCT/GB98/02802 TITLE OF INVENTION NEW PLANT GENES APPLICANT(S) FOR DO/EO/US COLE, David J.; CUMMINS, Ian; and EDWARDS, Robert Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. Ø 1. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 2. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay  $\boxtimes$ 3. examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.  $\boxtimes$ 4. A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) is transmitted herewith (required only if not transmitted by the International Bureau). has been transmitted by the International Bureau. b. 🗆 is not required, as the application was filed in the United States Receiving Office (RO/US). c. 🗆 A translation of the International Application into English (35 U.S.C. 371(c)(2)). A copy of the International Search Report (PCT/ISA/210). 7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) 8. X are transmitted herewith (required only if not transmitted by the International Bureau). have been transmitted by the International Bureau. b. □ have not been made; however, the time limit for making such amendments has NOT expired. c. 🗆 have not been made and will not be made. d. 🖾 A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. A copy of the International Preliminary Examination Report (PCT/IPEA/409). 11. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 12. (35 U.S.C. 371 (c)(5)). Items 13 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14 15.  $\boxtimes$ A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. 16. A substitute specification. 17. A change of power of attorney and/or address letter. 18. 19.  $\boxtimes$ Certificate of Mailing by Express Mail Other items or information: 20. X Form PCT/RO/101; Form PCT/IB/304; Form PCT/IB/308;a postcard and a check in the amount of \$1,444. Express Mail No.: EJ594513645US

Express Mail No.: EJ594513645US Date of Deposit: Mrch 15, 2000

430 Rec'd PCT/PTO 1 5 MAR 2000

U.S. APPLICATION	9°/5087°1	INTERNATIONAL APPI				DOCKET NUMBER
	ollowing fees are submitted:.	CA	CALCULATIONS PTO USE ONLY			
BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :						
internation	ernational preliminary examinational search fee (37 CFR 1.445(a)(2 ational Search Report not prepare	0.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but Internation Search Report prepared by the EPO or JPO						
☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO						
☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)						
☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)						
ENTER APPROPRIATE BASIC FEE AMOUNT =					\$970.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than a months from the earliest claimed priority date (37 CFR 1.492 (e)).					\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA			6207.00	
Total claims	42 - 20 =	22	x \$18.0		\$396.00 \$78.00	
Independent claim	<del></del>	1	x \$78.0	<del>-  -</del>	\$0.00	
Multiple Dependent Claims (check if applicable).  TOTAL OF ABOVE CALCULATIONS =					\$1,444.00	
Reduction of 1/2 i	for filing by small entity, if appl	icable. Verified Small Entit				
must also be filed	(Note 37 CFR 1.9, 1.27, 1.28) (		CXIDEOE A I		\$0.00	
			SUBTOTAL	=	\$1,444.00	
Processing fee of \$130.00 for furnishing the English translation later than					\$0.00	
TOTAL NATIONAL FEE =					\$1,444.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).					\$0.00	
TOTAL FEES ENCLOSED =					\$1,444.00	
				An	nount to be: refunded	\$
		<u></u>			charged	\$
A check in the amount of \$1,444.00 to cover the above fees is enclosed.						
☐ Please charge my Deposit Account No. in the amount of to cover the above fees.						
Please charge my Deposit Account No. in the amount of to cover the above fees.  A duplicate copy of this sheet is enclosed.						
				**.		
The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment						
to Deposit Account No. 02-4377 A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR						
NOTE: Where: 1.137(a) or (b))	an appropriate time limit unde must be filed and granted to re	r 37 CFR 1.494 or 1.495 n store the application to pe	as not been met, anding status.	i petition	to revive (37 C1	, K
SEND ALL COR	RESPONDENCE TO:		$\mathcal{A}_{\alpha}$		m. Mar	Ser 1
			SIGNAT		11.1100	
Janet M. MacLeod, Ph.D.				4 34 . T .	- 1 DL D	
30 Rockefeller Plaza			Janet M. MacLeod, Ph.D.			
New York, NY 10112-0228 NAME						
			35,263			
			REGIST	RATION	NUMBER	
			15 Mar	ch 2000		
			DATE			

A33083-PCT USA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

COLE, David J. et al.

Serial No.

To be assigned

Filed

16 September 1998

For

**NEW PLANT GENE** 

## **EXPRESS MAIL CERTIFICATION**

Express Mail Mailing No. <u>EJ594513645US</u>

Date of Deposit - March 15, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C., 20231.

Signature of person mailing

correspondence

Name of person mailing correspondence: Leroy Chick